



Order Filed on November 15, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-2(c)	
ROMANO GARUBO & ARGENTIERI Emmanuel J. Argentieri, Esquire 52 Newton Avenue, P.O. Box 456 Woodbury, New Jersey 08096 (856) 384-1515  Attorney for Secured Creditor, U.S. Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust	
MARCUS IMMESBERGER xxx-xx-2884  Debtor.	

Case No.: 18-19546  
Chapter: 11  
Judge: Michael B. Kaplan

Hearing Date: November 5, 2018 @ 10:00 a.m.

**ORDER RESOLVING U.S. BANK NATIONAL ASSOCIATION AS LEGAL TITLE  
TRUSTEE FOR TRUMAN 2016 SC6 TITLE TRUST'S MOTION FOR RELIEF FROM  
THE AUTOMATIC STAY SUBMITTED UNDER THE CONSENT OF THE PARTIES**

The relief set forth on the following pages numbered two (2) through three (3) are hereby  
**ORDERED.**

**DATED: November 15, 2018**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

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Debtor: MARCUS IMMESBERGER

Case No: 18-19546/MBK

Caption of Order: ORDER RESOLVING U.S. BANK NATIONAL ASSOCIATION AS LEGAL TITLE TRUSTEE FOR TRUMAN 2016 SC6 TITLE TRUST'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY SUBMITTED UNDER THE CONSENT OF THE PARTIES

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Upon consideration of ("Movant") U.S. Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust's motion for an order, pursuant to section 362(d) of the Bankruptcy Code, for relief from the automatic stay as to certain real property as hereinafter set forth; and the Debtor having filed opposition thereto; and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for cause shown, it is hereby;

**ORDERED** as follows:

1. Debtor recently brought his post-petition payments current through October 1, 2018.
2. Commencing with the November 1, 2018 post-petition mortgage installment payment and continuing each month thereafter for the duration of this Chapter 11 proceeding, Debtor shall remit payments directly to Movant as same come due.
3. On or before the close of business for November 30, 2018, Debtor shall reimburse Movant the sum of \$1,181.00 for attorney's fees and costs incurred by Movant in the prosecution of its motion for relief.
4. The Debtor shall file a proposed chapter 11 plan with the court on or before the close of business for November 16, 2018.

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Debtor: MARCUS IMMESBERGER

Case No: 18-19546/MBK

Caption of Order: ORDER RESOLVING U.S. BANK NATIONAL ASSOCIATION AS LEGAL TITLE TRUSTEE FOR TRUMAN 2016 SC6 TITLE TRUST'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY SUBMITTED UNDER THE CONSENT OF THE PARTIES

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5. If the Debtor fails to comply with paragraphs 3 and/or 4 above, then upon certification of non-receipt of said payment and/or plan in accordance herewith submitted by secured creditor's counsel, the Court shall enter an Order, vacating the automatic stay of 11 *U.S.C.* §362(a) with respect to secured creditor's enforcement of its State Law Foreclosure action against the realty commonly known as 55 Waterman Avenue, Rumson, New Jersey 07760. The order submitted to the Court will not require the consent of the Debtor or the Debtor's counsel regarding form or substance, however, the U.S. Trustee, Debtor and his counsel shall be given notice of any filing of a certification of non-receipt in accordance with Rule 9072-1 of the Local Rules of Bankruptcy Procedure.

6. **Thirty-Day Default Clause:** If the Debtor should default and fail to make the payments stated herein or any future payments that come due during the pendency of this case to Movant, for more than (30) days from the due date, then upon certification of non-receipt of said payments in accordance herewith submitted by secured creditor's counsel, the Court shall enter an Order, vacating the automatic stay of 11 *U.S.C.* §362(a) with respect to secured creditor's enforcement of its State Law Foreclosure action against the realty commonly known as 55 Waterman Avenue, Rumson, New Jersey 07760. The order submitted to the Court will not require the consent of the Debtor or the Debtor's counsel regarding form or substance, however, the trustee, Debtor and his counsel shall be given notice of any filing of a certification of non-receipt in accordance with Rule 9072-1 of the Local Rules of Bankruptcy Procedure.

7. Movant shall serve a copy of the executed order on all interested parties who have not yet been served electronically by the Court.

**Certificate of Notice Page 4 of 4**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Marcus Immesberger  
 Debtor

Case No. 18-19546-MBK  
 Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Nov 16, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 18, 2018.

db +Marcus Immesberger, 14 Park Avenue, Rumson, NJ 07760-1524

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 18, 2018

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 16, 2018 at the address(es) listed below:

Emmanuel J. Argentieri on behalf of Creditor U.S. Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust bk@rgalegal.com

Jeffrey M. Sponder on behalf of U.S. Trustee U.S. Trustee jeffrey.m.sponder@usdoj.gov, jeffrey.m.sponder@usdoj.gov

Jill Manzo on behalf of Creditor SELECT PORTFOLIO SERVICING, INC., as servicer for U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR IN INTEREST TO LASALLE BANK NA, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE WAMU MOR bankruptcy@feinsuch.com

Jill Manzo on behalf of Creditor Select Portfolio Servicing, Inc., as servicer for U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA NA, SUCCESSOR IN INTEREST TO LASALLE BANK NA, ON BEHALF OF THE HOLDERS OF THE WAMU MORTGAGE PASS-TH bankruptcy@feinsuch.com

Nicholas V. Rogers on behalf of Creditor DITECH FINANCIAL LLC nj.bkecf@fedphe.com

Rebecca Ann Solarz on behalf of Creditor DITECH FINANCIAL LLC rsolarz@kmlawgroup.com

Sean M. O'Brien on behalf of Creditor U.S. Bank NA, successor trustee to Bank of America, NA, successor in interest to LaSalle Bank NA, on behalf of the holders of the WaMu Mortgage Pass-Through Certificates, Series 2005-AR15 sobrien@flwlaw.com

Sean M. O'Brien on behalf of Creditor U.S. Bank NA, successor trustee to Bank of America, NA, successor in interest to LaSalle Bank NA, as trustee, on behalf of the holders of the WaMu Mortgage Pass-Through Certificates, Series 2007-OA4, sobrien@flwlaw.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

Vera Fedoroff on behalf of Debtor Marcus Immesberger vf@legalmattersnj.com

TOTAL: 10